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11 UNITED STATES DISTRICT COURT

12 NORTHERN DISTRICT OF CALIFORNIA

13 MERYL BORDERS-HUMPHREY,

14 Plaintiff,

15 v.

16 PRISON HEALTH SERVICES, INC., and
DOES 1 through 10,

17 Defendants.
18

Case No. C 07-02516 JSW

**STIPULATION AND ~~[PROPOSED]~~
ORDER CONTINUING CASE
MANAGEMENT CONFERENCE**

19
20 Plaintiff, Meryl Borders-Humphrey, and Defendant, Prison Health Services, Inc., through
21 their counsel, jointly stipulate to continuing the case management conference currently scheduled for
22 Friday, February 8, 2008, for the following reasons:

23 Plaintiff's employment with defendant Prison Health Services, Inc. (PHS) was governed by a
24 collective bargaining agreement. Plaintiff filed a union grievance challenging the termination of her
25 employment. That grievance has now proceeded to arbitration. The arbitration commenced on
26 December 4, 2007, and a second session was held on January 17, 2008. Because the arbitration was
27 not completed on January 17, a third (and anticipated final) arbitration session is scheduled for
28 Wednesday, February 6, 2008. Because the resolution of the arbitration could impact the scope and

1 timing of the present proceeding, the parties are not presently in a position to schedule this case for
2 completion of discovery or trial.

3 In addition, Plaintiff has indicated her intention to amend the complaint to add American
4 Service Group, Inc. as an additional defendant. The requested continuance will provide the parties
5 time to confer regarding Plaintiff's intention.

6 For these reasons, the parties respectfully request that the February 8 case management
7 conference be continued for approximately 90-120 days (until mid- to late-May 2008) in order to
8 allow an opportunity to complete the arbitration and receive a ruling from the arbitrator and to
9 resolve whether there will be an amendment to the pleadings.

11 DATED: February 4, 2008

McDONOUGH HOLLAND & ALLEN PC
Attorneys at Law

13
14 By: /s/ Laura J. Fowler
LAURA J. FOWLER

15 Attorneys for Defendant Prison Health Services,
16 Inc.

17 DATED: February 4, 2008

LAW OFFICES OF MICHAEL C. COHEN

19 By: /s/ Michael C. Cohen
MICHAEL C. COHEN

21 Attorneys for Plaintiff Meryl Borders-Humphrey

22 **ORDER**

23 Having read the foregoing Stipulation and good cause appearing therefor,

24 IT IS SO ORDERED that the Case Management Conference is continued to
25 May 30, 2008.

26 DATED: February 4, 2008

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JUDGE OF THE U.S. DISTRICT COURT